

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: CHOCOLATE	:	MDL DOCKET NO. 1935
CONFECTIONARY ANTITRUST	:	(Civil Action No. 1:08-MDL-1935)
LITIGATION	:	
<hr/>	:	(Judge Conner)
	:	
THIS DOCUMENT APPLIES TO:	:	
	:	
ALL CASES	:	

ORDER

AND NOW, this 1st day of February, 2010, upon consideration of the quarterly cost reports submitted on December 1, 2009 by lead counsel for each plaintiff group, and the order of court (Doc. 694) dated October 1, 2009, which modified Case Management Order No. 5 (Doc. 387) and ordered lead counsel for each plaintiff group to submit “cost summaries that comport with the guidelines set forth by the court during the September 29, 2009 hearing,” (id. ¶ 1.b), and recognizing that it is within the court’s inherent power to reconsider its interlocutory orders, see United States v. Jerry, 487 F.2d 600, 605 (3d Cir. 1973); Alea N. Am. Ins. Co. v. Salem Masonry Co., 301 F. App’x 119, 121 (3d Cir. 2008), it is hereby ORDERED that:

1. Paragraph 2.a.vi of Case Management Order No. 5 (Doc. 387) is STRICKEN and replaced with the following: Preparing quarterly cost summaries that comport with the guidelines set forth by the court during the September 29, 2009 hearing. These summaries shall be compiled and maintained by lead counsel for each plaintiff group, and shall remain subject to such further auditing requirements as the court deems necessary. Lead counsel is encouraged to store this information electronically.

2. Paragraph 2 of the order of court (Doc. 694) dated October 1, 2009 is VACATED. Lead counsel for each plaintiff group shall not be required to submit regular cost reports for the court's review.
3. All other provisions of Case Management Order No. 5 shall remain in effect except as modified herein.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge